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OLC 73-1130

27 September 1973

MEMORANDUM FOR THE RECORD

SUBJECT: Briefing of the Intelligence Operations Subcommittee of the Senate Appropriations Committee on 27 September 1973.

1. On 27 September 1973 at 9:40 a.m. the Director met informally with Chairman McClellan and Senator Young of the Intelligence Operations Subcommittee of Senate Appropriations Committee. Present from the Committee staff were James R. Calloway and Guy G. McConnell. The Director was accompanied by John Maury and the undersigned.

2. The original plan had been for the Director to cover briefly with Senators McClellan and Young the contents of the National Security Council Intelligence Directives, and to answer any questions they might have about recent reserve withdrawals for a sensitive NE Division covert action project. Following this it had been planned to provide the Subcommittee with an intelligence briefing on significant world developments, particularly relating to Soviet strategic weapons. Mr. Colby briefed on the NSCIDs for about one hour. However, because of quorum calls, the Subcommittee briefing was put over until the afternoon. Later the Chairman became ill and the balance of the briefing was postponed until a later date (possibly 3 or 4 October).

3. Mr. Calloway introduced the discussion by explaining that Senator Proxmire had requested that the NSCIDs be made public, and in view of this request it was felt that our Subcommittee should be made aware of the nature and contents of these directives.

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4. The Director explained that there were eight NSCIDs. The Chairman asked if any of them authorized, or dealt with, Agency involvement in domestic matters. Mr. Colby said that none did, but pointed out that a separate directive in 1970 called on the Agency to participate in an interdepartmental exercise involving internal security to the extent of providing any relevant information obtained by the Agency in the course of its foreign operations. The Agency was to serve as a foreign intelligence advisor to the group.

5. In response to questions by Senator Young, Mr. Colby then summarized and interpreted NSCID 1 with regard to his authority over the intelligence community, and the general structure of the community. Chairman McClellan and Senator Young asked if this testimony could not be made public. Mr. Colby replied that he was preparing unclassified material on this subject. The Chairman suggested that Mr. Colby prepare a memo on what could be made available to the public, and also to the Senate on an unclassified basis. He said he could see no reason why such matters as the Director's authority and the command structure and the relationships in the intelligence community, and the role of the NSC, could not be made public but he of course recognized that the specific contents of the NSCIDs should remain classified.

6. Mr. Colby said he was working on a comprehensive statement on the organization and functions of the community which might be suitable for public release but this was far from complete and he would like to defer to responding to the Chairman's suggestion for a few months until this paper could be completed. The Chairman pressed him for a statement of what could be said at this time.

7. The Senators asked several questions regarding the Agency's and the community's responsibilities for keeping the Congress informed, and whether any of the NSCIDs go into this question, or whether there is any law requiring the Agency to keep Congress briefed. The Director replied that there was none and the Chairman said the absence of any such law or directive raised a legal question. Mr. Colby said it was also a political question.

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8. At this point the discussion was interrupted by a quorum call and the Chairman suggested we resume at 2:00 p.m. (later we received word that this was not possible and a new session would have to be scheduled).

9. In closing Mr. Colby briefly touched on the sensitive project involving reserve withdrawal but it was not clear whether he covered this matter sufficiently to satisfy the questions which the Senators had in mind.



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